



[Billing Code 6570-01]

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**Agency Information Collection Activities:** Proposed Collection; Comments Request

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Notice of Information Collection — Extension with Change: Local Union Report (EEO-3).

**SUMMARY:** In accordance with the Paperwork Reduction Act, the Equal Employment Opportunity Commission (EEOC or Commission) announces that it intends to submit to the Office of Management and Budget (OMB) a request for a three-year extension with change of the Local Union Report (EEO-3) (Form 274). EEOC is in the process of revising the race and ethnicity categories on the EEO-3 report to conform to OMB's [Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity](#) (October 30, 1997) (Revised Standards), as applied in OMB [Bulletin No. 00-02, Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring and Enforcement](#) (March 9, 2000). See Appendix A for a draft version of the proposed Form 274. Pending OMB approval of an emergency extension request, to be effective after the current August 31, 2014 expiration date, a regular clearance request for OMB review and approval of a three-year extension of the EEO-3 Report is beginning.

**DATES:** Written comments on this notice must be submitted on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION]. Pursuant to 42 U.S.C. 2000e-8(c), a public hearing concerning the proposed changes to the EEO-3 will be held at a place and time to be announced. Persons wishing to present their views orally should notify the Commission of their desire to do so in writing no later than [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION]. The request to present views orally at a public hearing should include a written summary of the remarks to be offered.

**ADDRESSES:** Comments should be sent to Bernadette Wilson, Acting Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 131 M Street, NE, Washington, DC 20507. As a convenience to commenters, the Executive Secretariat will accept comments totaling six or fewer pages by facsimile ("FAX") machine. This limitation is necessary to assure access to the equipment. The telephone number of the fax receiver is (202) 663-4114. (This is not a toll-free number). Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4070 (voice) or (202) 663-4074 (TTD). (These are not toll-free telephone numbers.) Instead of sending written comments to EEOC, you may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments. All comments received through this portal will be posted without change, including any personal information you provide, except as noted below. Copies of comments submitted by the public to EEOC directly or through the Federal eRulemaking Portal will be available for review, by advance appointment only, at the Commission's library between the hours of 9:00 a.m. and 5 p.m.

Eastern Time or can be reviewed at [http:// www.regulations.gov](http://www.regulations.gov). EEOC reserves the right to refrain from posting comments, including those that contain obscene, indecent, or profane language; contain threats or defamatory statements; contain hate speech directed at race, color, sex, sexual orientation, national origin, ethnicity, age, religion, or disability; or promote or endorse services or products. To schedule an appointment to inspect the comments at EEOC's library, contact the library staff at (202) 663-4630 (voice) or (202) 663-4641 (TTY). (These are not toll-free numbers.)

**FOR FURTHER INFORMATION CONTACT:** Ronald Edwards, Director, Program Research and Surveys Division, Equal Employment Opportunity Commission, 131 M Street, NE, Room 4SW30F, Washington, DC 20507; (202) 663-4949 (voice) or (202) 663-7063 (TTY). Requests for this notice in an alternative format should be made to the Office of Communications and Legislative Affairs at (202) 663-4191 (voice) or (202) 663-4494 (TTY).

**SUPPLEMENTARY INFORMATION:** The EEOC has collected information from local unions on the EEO-3 form since 1966. The Commission now proposes to revise the EEO-3 report to conform to OMB's Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity (October 30, 1997) (Revised Standards), as applied in OMB Bulletin No. 00-02, Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring and Enforcement (March 9, 2000). This will require a change of the Form 274.

EEOC will revise the EEO-3 report to include the following race and ethnicity categories: Hispanic or Latino; White; Black or African American; Asian; Native Hawaiian or Other Pacific Islander; American Indian or Alaska Native; and Two or More Races.

### **Overview of Information Collection**

**Collection Title:** Local Union Report (EEO-3)

**OMB Number:** 3046-0006

**Frequency of Report:** Biennial

**Type of Respondent:** Referral local unions with 100 or more members

**Description of Affected Public:** Referral local unions and independent or unaffiliated referral unions and similar labor organizations

**Responses:** 1,176

**Reporting Hours:** 2,405

**Cost Burden:** \$2,822,400

**Federal Cost:** \$81,935

**Number of Forms:** 1

**Form Number:** EEOC Form 274

**Abstract:** Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), requires labor organizations to make and keep records relevant to a determination of whether unlawful employment practices have been or are being committed and to produce reports from the data. The EEOC issued regulations requiring referral local unions with 100 or more members to submit EEO-3 reports. The individual reports are confidential. The EEOC uses EEO-3 data to investigate charges of discrimination and for research.

**Burden Statement:** The estimated number of respondents included in the biennial EEO-3 survey is 1,176 referral unions. The changes discussed herein will increase the biennial respondent burden hours from 2,102 to 2,405 and EEOC costs from \$60,000 to \$81,935. The burden per report will be 2.05 hours.

#### RECURRING COSTS

CURRENT FORM				
55 CELLS				
ANNUAL RESPONSES	ANNUAL BURDEN HOURS	BURDEN HOURS PER REPORT	BURDEN HOURS PER CELL	EEOC COST
1,401	2,102	1.5	0.027	\$60,000
REVISED FORM				
75 CELLS				
1,176	2,405	2.05	0.027	\$81,935

\* Note: Due to rounding, for this table, figures may not be replicated exactly.

Estimated burden hours were calculated by multiplying the number of reports expected to be filed biennially (1,176 in 2012) by the estimated average time to complete and submit each report (2.05 hours). These estimates are based on an assumption of paper reporting. However, the EEOC has made electronic filing much easier for respondents required to file the EEO-3 Report. As a result, more jurisdictions are using this filing method. This development, along with the greater availability of human resource information software, is expected to have significantly reduced the actual burden of reporting. However, empirical data in this area is lacking. Accordingly, efforts will be undertaken by the Commission to (1) develop more reliable estimates of reporting burdens given the significant increase in electronic filing; and (2) to implement new approaches to make such reporting even less burdensome.

The other new burden is the one-time cost of respondents changing the manner in which they collect and store the new race and ethnicity changes as well as changes to computer programs and systems. There will be no cost for respondents with a current system that is already designed to handle the full multiple race and ethnicity classifications. It is estimated that about ten percent of respondents currently have this ability. The chart below shows the estimated cost for respondents who will have to re-survey the members to comply with the new race and ethnicity changes.

<b>ONE TIME COSTS MODIFICATIONS TO HUMAN RESOURCE INFORMATION SYSTEMS</b>			
<b>LABOR TASK REQUIREMENTS</b>	<b>HOURS</b>	<b>HOURLY RATE</b>	<b>COST</b>
SYSTEM/BUSINESS ANALYST	8	\$55	\$440
DEVELOPER	24	\$65	\$1,560
TESTER	8	\$50	\$400
TOTAL PER LOCAL			\$2,400
	<b>LOCALS</b>	<b>TOTAL COSTS</b>	
TOTAL ALL RESPONDENTS	1,176		\$2,822,400

In order to help reduce survey burden, respondents are encouraged to report data electronically whenever possible.

Pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, and OMB regulation 5 CFR 1320.8(d)(1), the Commission solicits public comment to enable it to:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the Commission's functions, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Dated: August 21, 2014.

For the Commission.

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Jacqueline A. Berrien,  
Chair.

## APPENDIX A

Union Reporting Program  
Washington, DC 20507

### EQUAL EMPLOYMENT OPPORTUNITY LOCAL UNION REPORT (EEO-3)

Approved by OMB  
No. 3046-0006

#### Part A. LOCAL UNION IDENTIFICATION

1. Full name of local union for which this report is filed. (Include local number, if any.)

2. Mailing address.

a. Where official mail should be sent to the union.

Number and street

City

County

State

Zip Code

b. Union office, if different from 2a.

Number and street

City

County

State

Zip Code

3. Indicate type of local union report by a check in applicable box:

- a. ☐ Report filed by local union in its own behalf  
b. ☐ Other (explain)

4a. Are you affiliated with or chartered by a national or international union or national federation? Yes ☐ No ☐

b. If "Yes" to item 4a, give name and address of such national or international organization.

5. Are you affiliated with the AFL-CIO? Yes ☐ No ☐

#### PART B. LOCAL UNIONS REQUIRED TO FILE

1. Has the local union had 100 or more members at any time since December 31 of the preceding year? Yes ☐ No ☐

2. Does the local union, or any unit, division, or agent of the local union, or any labor organization which performs, within a specific jurisdiction, the functions ordinarily performed by a local union, whether or not it is so designated:

- a. Operate a hiring hall or hiring office? ☐ ☐  
b. Have an arrangement under which one or more employers are required to consider or hire persons referred by the local union or an agent of the local union? ☐ ☐  
c. Have 10 percent or more of its members employed by employers which customarily and regularly took to the union, or any agent of the union, for employees to be hired on a casual or temporary basis, for a specified period of time, or for the duration of a specified job? ☐ ☐

The union must complete this entire report if it answered "YES" to item 1, AND the answer is "YES" to any of the three questions in item 2.

The union is not required to complete the entire report if it answered "NO" to item 1, OR "NO" to all three questions in item 2. If that is the case, the union must complete Parts A, B, C, and E and return this form to the specified address.

## PART C. REMARKS

## PART D. IDENTIFICATION AND SIGNATURE

To the best of my knowledge and belief, the information contained in this report is true and complete. It is further certified that to the extent any data in Schedule I, Items 1 or 2, are based on self-identification by individuals, this information was gathered only after they were advised of its confidential nature and purposes.

1. Type or print name, title, address and telephone number for union business of designated representative

Name \_\_\_\_\_

Title \_\_\_\_\_

Work address \_\_\_\_\_

Telephone number (including area code) \_\_\_\_\_

2. Signature of designated representative \_\_\_\_\_

3. Date \_\_\_\_\_

"Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both." Title 18, Section 1001, United States Code.

## SCHEDULE I—LOCAL UNION REPORT (EEO-3)

### MEMBERSHIP, APPLICANT and REFERRAL INFORMATION

1. Method of identification

How was information as to race/ethnic identification and sex in Item 2 below obtained?

Check all applicable boxes

This information may be obtained by visual survey, from records made after employment, from personal knowledge or by self-identification. The self-identification method may be used subject to the conditions set forth in the instructions. No State law prohibiting the self-identification method applies, since the Equal Employment Opportunity Commission's regulations supersede such laws.

a. Existing Record	
b. Visual Survey	
c. Tally from Personal Knowledge	
d. Self-Identification	
e. Other (Specify)	

2. Statistics

2. Statistics	RACE/ETHNICITY															Total Col A-N
	HISPANIC OR LATINO		NON-HISPANIC OR LATINO													
			MALE							FEMALE						
	Male	Female	White	Black or African American	Asian	Native Hawaiian or Other Pacific Islander	American Indian or Alaska Native	Two or more races	White	Black or African American	Asian	Native Hawaiian or Other Pacific Islander	American Indian or Alaska Native	Two or more races		
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
a. MEMBERSHIP IN REFERRAL UNIT																
(1) MEMBERS																
(2) APPLICANTS FOR MEMBERSHIP DURING THE PAST YEAR																
a. REFERRALS DURING 2-MONTH PERIOD																
(1) NUMBER OF PERSONS REFERRED																
(2) NUMBER OF REFERRALS																
(3) APPLICANTS FOR REFERRAL																

3. Period Used For Referral Date

You should obtain the figures reported in item 2 "Statistics" using any 2-month period between August 1 and November 30.

Dates of 2-month Period \_\_\_\_\_

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